

SYRRX OFFICIAL

## FACSIMILE TRANSMITTAL SHEET

TO: COMMISSIONER FOR PATENTS

From: DAVID WEITZ, REG. NO. 38,362

FAX NUMBER: (703) 872-9310

DATE: APRIL 16, 2003

COMPANY: U.S. PATENT AND TRADEMARK  
OFFICE

TOTAL NO. OF PAGES INCLUDING COVER: 5

PHONE NUMBER:

SENDER'S PHONE NUMBER:

(858) 731-3508

RE: U.S. APPLICATION SERIAL NO.  
10/026,362-INFORMATION DISCLOSURE  
STATEMENT

SENDER'S FAX NUMBER:

(858) 550-0992

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

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PVJS No. 2960.54-3  
LBNL No. IB-1504B

Patent  
Syrrx No. UC-5001-C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Bernard Santarsiero et al.

Serial No.: 10/026,362

Filed: December 21, 2001

For: METHOD FOR SCREENING  
MICROCRYSTALLIZATIONS  
FOR CRYSTAL FORMATION

Group Art Unit: 1754

Examiner: Peter J. Lish

#11/US  
4/12/03

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449. As Applicant believes that a copy of each of the items identified on the attached form PTO-1449 have previously been made of record for this application, copies are not being submitted with this IDS. However, if the Examiner would like copies of the cited references, Applicant will provide the references upon request.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35

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CERTIFICATE OF MAILING  
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I hereby certify that this paper (along with any referred to as being attached) is being transmitted via facsimile to Facsimile No. (703) 872-9310 on the date shown below addressed to the Commissioner For Patents, Washington, D.C. 20231.

April 16, 2003  
Date of Deposit

Linda Johnson

Name of Person Mailing Paper

*Linda Johnson*

Signature of Person Mailing Paper

PVJS No. 2960.54-3  
LBNL No. IB-1504B

Patent  
Syrrx No. UC-5001-C2

USC § 102 with respect to this invention unless specifically designated by Applicant as such.

**INFORMATION DISCLOSURE STATEMENT FILING PROVISION:**

- ☒ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d) or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.
- ☒ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.
- ☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.
- ☐ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.
- ☐ The fee due under 37 CFR § 1.17(p) is submitted herewith.
- ☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.
- ☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

**STATEMENT UNDER 37 CFR § 1.97(e):**

- ☐ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

PVJS No. 2960.54-3  
LBNL No. IB-1504B

Patent  
Syrrx No. UC-5001-C2

☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

**PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:**

- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the above fee(s).  
☐ Please charge to Deposit Account No. 50-2256 for the above fee(s).

Although Applicant does not believe any fees are required, the Commissioner is authorized to charge any fees required by the filing of these papers to Syrrx's Deposit Account No. 50-2256.

Respectfully submitted,

SYRRX, INC.

Dated: April 16, 2003

By: David J. Weitz  
David J. Weitz  
Reg. No. 38,362  
General Counsel, V.P. of Intellectual  
Property and Secretary

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PTO/SB/08A (10-01)

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 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

## **Complete if Known**

|                        |                     |
|------------------------|---------------------|
| Application Number     | 10/026,362          |
| Filing Date            | December 21, 2001   |
| First Named Inventor   | Bernard Santarsiero |
| Group Art Unit         | 1754                |
| Examiner Name          | Peter J. Lish       |
| Attorney Docket Number | UC-5001-C2          |

## **U.S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Document Number                            | Publication Date/<br>Filing Date<br>MM-DD-YYYY | Name of Patentee or Applicant of<br>Cited Document | Pages, Columns, Lines, Where Relevant<br>Passages or Relevant<br>Figures Appear |
|--------------------|-----------------------|--|--|--|---|
|                    |                       | Number - Kind Code <sup>2</sup> (if known) |  |  |   |
|                    | AA                    | US- 2002/0110816A1                         | 08-15-02                                       | Santarsiero et al.                                 |   |
|                    | AB                    | US- 2002/0143153A1                         | 10-03-02                                       | Santarsiero et al.                                 |   |
|                    | AC                    | US- 2002/0155504A1                         | 10-24-02                                       | Santarsiero et al.                                 |   |
|                    | AD                    | US- 2002/0160426A1                         | 10-31-02                                       | Santarsiero et al.                                 |   |
|                    | AE                    | US- 2002/0173052A1                         | 11-21-02                                       | Santarsiero et al.                                 |   |
|                    | AF                    | US- 10/323,037                             | 12/18/02                                       | Santarsiero et al.                                 |   |
|                    | AG                    | US- 10/323,319                             | 12/18/02                                       | Santarsiero et al.                                 |   |
|                    | AH                    | US- 10/323,378                             | 12/18/02                                       | Santarsiero et al.                                 |   |
|                    | AI                    | US- 10/322/952                             | 12/18/02                                       | Santarsiero et al.                                 |   |
|                    | AJ                    | US- 10/323,849                             | 12/18/02                                       | Santarsiero et al.                                 |   |
|                    | AK                    | US- 10/323,054                             | 12/18/02                                       | Santarsiero et al.                                 |   |
|                    | AL                    | US- 10/324,022                             | 12/18/02                                       | Santarsiero et al.                                 |   |
|                    | AM                    | US- 10/334,336                             | 12/31/02                                       | Santarsiero et al.                                 |   |
|                    | AN                    | US- 10/334,396                             | 12/31/02                                       | Santarsiero et al.                                 |   |

## **FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited<br>Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>3</sup> |
|--------------------|-----------------------|---|--------------------------------|---|--|----------------|
|                    |                       | Country Code <sup>4</sup> - Number <sup>4</sup> - Kind Code <sup>4</sup> (if known) |                                |   |  |                |
|                    |                       |   |                                |   |  |                |
|                    |                       |   |                                |   |  |                |
|                    |                       |   |                                |   |  |                |

## **OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|--------------------|-----------------------|---|----------------|
|                    |                       |   |                |
|                    |                       |   |                |

Examiner  
SignatureDate  
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.

<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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APR 17 2003  
 IP 1700